

REMARKS

Applicant notes with appreciation that, in the Office Action of February 2, 2008, claims 8, 9, 11, 12, 16, 17, 26, 27, 29, 30, 34 and 35 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In addition, new corrected drawings in compliance with 37 C.F.R. 1.121(d) were required because Figs. 1-10b, 18 and 19 are allegedly of insufficient quality for accurate reproduction. The drawings were also objected to under 37 C.F.R. 1.83(a) because the drawings fail to show units 48 and 50 in Fig. 22 as described in the specification on page 36, lines 15-17. The drawings were further objected to because the drawings include the reference number “128” not mentioned in the specification. With respect to the claims, the dependent claims 8, 11, 26 and 29 were objected to because the claim term “*exceeds*” should be “*does not exceed*.” In addition, claims 9, 12, 27 and 30 were rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Furthermore, claims 1-4 and 19-22 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Pat. App. Pub. No. 2002/0152466 A1 (“Weng”). Claims 1, 2, 4, 7, 10, 14, 15, 19, 20, 22, 25, 28, 32 and 33 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Pat. No. 6,180,865 (“Ishiguro”). In addition, claims 5, 6, 13, 18, 23, 24, 31 and 36 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Weng or Ishiguro in view of U.S. Pat. No. 6,423,893 (“Sung et al.”).

With respect to the new corrected drawing requirement, Applicant hereby submits replacement sheets of drawings for all the originally filed figures in compliance with 37 C.F.R. 1.121(d).

With respect to the drawing objection regarding elements 48 and 50 in Fig. 22 as mentioned in the specification on page 36, lines 15-17, Applicant has amended the paragraph [00151] beginning at page 36, line 11, to remove specific reference to the reference numbers 48 and 50. Applicant respectfully submits that the elements 48 and 50

are not essential for a proper understanding of the disclosed invention. As such, Applicant respectfully requests that this drawing objection be withdrawn.

With respect to the drawing objection regarding the reference number 128 not mentioned in the specification, Applicant has amended the paragraph [00102] beginning at page 22, line 19, to include the reference number 128. As such, Applicant respectfully requests that this drawing objection be withdrawn.

With respect to the claims, Applicant has rewritten the “objected to” claim 8 in independent form by amending the independent claim 1 to include the subject matter of claim 8 and the intervening claim 7 with the replacement of “*exceeds*” with “*does not exceed*.” Similarly, Applicant has rewritten the “objected to” claim 26 in independent form by amending the independent claim 19 to include the subject matter of claim 26 and the intervening claim 25 with the replacement of “*exceeds*” with “*does not exceed*.” As such, claims 7, 8, 25 and 26 have been canceled, and claims 9 and 27 have been amended to maintain proper claim dependency.

Applicant has also rewritten the “objected to” claim 11 in independent form by amending the independent claim 10 to include the subject matter of claim 11 with the replacement of “*exceeds*” with “*does not exceed*.” Similarly, Applicant has rewritten the “objected to” claim 29 in independent form by amending the independent claim 28 to include the subject matter of claim 29 with the replacement of “*exceeds*” with “*does not exceed*.” As such, claims 11 and 29 have been canceled, and claims 12 and 30 have been amended to maintain proper claim dependency.

Applicant has also rewritten the “objected to” claim 16 in independent form by adding new claim 37 to include the subject matter of claim 16 and the intervening claim 14. Similarly, Applicant has rewritten the “objected to” claim 17 in independent form by adding new claim 39 to include the subject matter of claim 17 and the intervening claim 14. New dependent claims 38 and 40 have also been added, which are similar to the “objected to” claims 34 and 35, respectively.

With respect to the Section 112 rejection of claims 9, 12, 27 and 30, Applicant respectfully submits that these claims are not indefinite. The “time value” in claim 7 is not the same as the “current time value” in claim 8. The “current time value” in claim 8 refers to a time value subsequent to the “time value” in claim 7. When the audio is paused when “*a difference between said synchronization point and said time value exceeds a predefined amount,*” the time value continues since the operations continue until “*a difference between said synchronization point and a current time value does not exceeds a second predefined amount,*” which is the moment when the audio is resumed. The “*second predefined amount*” can be different than the “*predefined amount*” or can be equal to the “*predefined amount.*” Thus, the dependent claim 9 is sufficiently definite. As such, Applicant respectfully requests that this rejection of claims 9, 12, 27 and 30 be withdrawn.

Applicant respectfully requests a notice of allowance in view of the claim amendments and the remarks made herein.

Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of March 11, 2008 to and through August 11, 2008, comprising an extension of the shortened statutory period of two months (\$230).

Respectfully submitted,

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